

Please type a plus sign (+) inside this box ☒

UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No.

END-786

First Inventor: Jesse J Kuhns et al.

Title: **Surgical Instrument Having a Fastener Delivery Mechanism**

I hereby certify that this correspondence is being deposited today with the United States Postal Service as Express Mail - Post Office to Addressee in an envelope addressed to: Assistant Commissioner for Patents, Box-Patent Application, Washington, DC 20231.

Name: Kimberly M. Moses Date: 12-10-01
Kimberly M. Moses December 10, 2001

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EK958563755US

(only for new nonprovisional applications under 37 CFR 1.53(b))

APPLICATION ELEMENTS

See MPEP Chapter 600 concerning utility patent application contents.

ADDRESS TO: Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
3. ☒ Specification [Total Pages **42**]
(Preferred arrangement set forth below)
- Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure

4. ☒ Drawing(s) (35 USC 113) [Total Sheets **28**]
5. Oath or Declaration [Total Pages **4**]

- a. ☒ Executed Copy
- ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)

1. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
- c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement [] Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 [X] Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certifications under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Application Cover Sheet with Express Mail Certification

6. ☐ Application Data Sheet. See 37 CFR 1.76

18. ☒ If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-Part (CIP) of prior application No.: ,09/692,633 filed. October 19,2000; ,09/692,627 filed. October 19,2000; ,09/692,636 filed. October 19,2000; Prior application information: Examiner Group Art Unit: For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label **000027777** or ☒ Correspondence Address below

Name: Philip S. Johnson, Esq.

Address: Johnson & Johnson, One Johnson & Johnson Plaza, New Brunswick, NJ 08933-7003 USA

20. TELEPHONE CONTACT: Please direct all telephone calls or facsimiles to the attention of Dean L. Garner at:
Telephone: (513) 337-8559 Facsimile: (513) 337-8489

21. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	Dean L. Garner	Reg. No. 35,877
SIGNATURE	<i>Dean L. Garner</i>	
DATE	December 10, 2001	

FEE TRANSMITTAL*Complete if Known*

Application Number	
Filing Date	December 10, 2001
First Named Inventor	Jesse J. Juhns et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	END-786

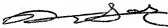
FEE CALCULATION

CLAIMS AS FILED

(1)	(2)	(3)	(4)	(5)
FOR:	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$740.00
TOTAL CLAIMS	20 - 17 =	0	x 18.00	\$ 0.00
INDEPENDENT CLAIMS	3 - 2 =	0	x 84.00	\$ 0.00
MULTIPLE DEPENDENT CLAIMS	<input type="checkbox"/>	N/A	X 280.00	
			TOTAL FEES	\$ 740.00

METHOD OF PAYMENT

- ☒ Please charge Deposit Account No. 10-0750/END-786/DLG in the amount of \$740.00. One **Original and 2 copies of this sheet are enclosed.**
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required in connection with the filing of this communication, or credit any overpayment, to Account No. 10-0750/END-786/DLG. **One Original and 2 copies of this sheet are enclosed.**

SUBMITTED BY:		<i>Complete (if applicable)</i>
Typed or Printed Name	Dean L. Garner	Reg. No. 35,877
Signature		Deposit Account No. 10-0750
		Date: December 10, 2001